

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

ITHERM TECHNOLOGIES, L.P.,
Plaintiff,

v.

HIGH FREQUENCY POWER, LLC,
Defendant.

Docket No. 2:20-cv-24

DEFENDANT'S ANSWER AND AFFIRMATIVE DEFENSES

Defendant High Frequency Power, LLC, hereby answers as follows:

1. Defendant lacks sufficient knowledge or information to form a belief about the truth of the allegation and therefore denies.
2. Admitted.
3. Allegation is a conclusion of law as to which no responsive pleading is required; to the extent responsive pleading is required, denied.
4. Allegation is a conclusion of law as to which no responsive pleading is required; to the extent responsive pleading is required, denied.
5. Admitted that Plaintiff and Defendant entered into an Intellectual Property Asset Purchase Agreement ("APA") on or about September 10, 2010, and that the terms of the APA speak for themselves. Denied that the Plaintiff has reproduced the entire APA in its pleadings, or all the relevant portions thereof.
6. Admitted that the terms of the APA speak for themselves. Denied that the Plaintiff has reproduced the entire APA in its pleadings, or all the relevant portions thereof.

7. Admitted that the terms of the APA speak for themselves. Denied that the Plaintiff has reproduced the entire APA in its pleadings, or all the relevant portions thereof.
8. Admitted that the terms of the APA speak for themselves. Denied that the Plaintiff has reproduced the entire APA in its pleadings, or all the relevant portions thereof.
9. Admitted that the terms of the APA speak for themselves. Denied that the Plaintiff has reproduced the entire APA in its pleadings, or all the relevant portions thereof.
10. Admitted that the terms of the APA speak for themselves. Denied that the Plaintiff has reproduced the entire APA in its pleadings, or all the relevant portions thereof.
11. Admitted.
12. Admitted that the Business has not been discontinued, but denied that there has been a consistent market, demand, or value for the IP Assets.
13. Admitted that HFP produced reviewed rather than audited financial statements for calendar years 2012, 2013 and 2014, and internal financial statements for calendar years 2015-2019; otherwise denied.
14. Denied.
15. Denied.
16. Denied.
17. Answered as alleged above.
18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Denied.

Affirmative Defenses

1. Statute of limitations.
2. Waiver.
3. Laches.

DATED at Burlington, Vermont this 30th day of April, 2020.

LANGROCK SPERRY & WOOL, LLP



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